

AMENDED IN SENATE JUNE 12, 1997  
AMENDED IN ASSEMBLY JUNE 2, 1997  
AMENDED IN ASSEMBLY MAY 23, 1997  
AMENDED IN ASSEMBLY MAY 5, 1997  
AMENDED IN ASSEMBLY APRIL 24, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1164**

**Introduced by Assembly Member Wright**

February 28, 1997

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~~An act to add Section 11261 to the Welfare and Institutions Code, relating to human services. An act to repeal and add Section 94990 of the Education Code, and to amend Section 32 of Chapter 62 of the Statutes of 1996, relating to postsecondary education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1164, as amended, R. Wright. ~~AFDC: eligibility: employment training~~ Private Postsecondary and Vocational Education Reform Act of 1989.

(1) Existing law renders the Private Postsecondary and Vocational Education Reform Act of 1989 inoperative on June 30, 1997, and repeals the act on January 1, 1998.

This bill instead would repeal the act on January 1, 1998. Thus, the bill would extend the existence of criminal penalties

*under the act for a 6-month period, thereby imposing a state-mandated local program. The bill also would make an appropriation by continuing the operation of continuous appropriations in the act for 6 months.*

*(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

*(3) This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing state law provides for the Aid to Families with Dependent Children (AFDC) program, pursuant to which qualified families are provided with cash assistance. Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) program to states that participate in the TANF program.~~

~~This bill would specify that any otherwise eligible individual who is enrolled at least halftime in a specified curriculum that will lead to an associate or baccalaureate degree or in a degree or certificate program that will lead to employment and meets other work activity requirements shall, upon request, be provided child care and transportation services for up to one year, thereby increasing county responsibilities in the implementation of the AFDC program and resulting in a state-mandated local program.~~

~~Existing law provides for the California Community Colleges and specifies the duties and responsibilities of the Board of Governors and the Chancellor of the California Community Colleges.~~

~~This bill would provide that funding, upon appropriation by the Legislature, shall be provided to the Chancellor of the California Community Colleges for the purposes of coordinating and implementing the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 with respect to the educational services provided to recipients of AFDC program benefits who are attending community college.~~

~~The bill would also declare the intent of the Legislature to have California Community Colleges serve as one of several means to provide necessary employment training to recipients of AFDC program benefits.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

~~Vote: majority <sup>2</sup>/<sub>3</sub>. Appropriation: no-yes. Fiscal committee: yes. State-mandated local program: yes.~~

*The people of the State of California do enact as follows:*

- 1   ~~SECTION 1. (a) It is the intent of the Legislature to~~
- 2   ~~SECTION 1. Section 94990 of the Education Code is~~
- 3   ~~repealed.~~
- 4   ~~94990. This chapter shall become operative on~~
- 5   ~~January 1, 1997, and shall become inoperative on June 30,~~
- 6   ~~1997, and as of January 1, 1998, is repealed, unless a later~~
- 7   ~~enacted statute, which becomes effective on or before~~
- 8   ~~January 1, 1998, deletes or extends the dates on which it~~
- 9   ~~becomes inoperative and is repealed.~~
- 10   ~~SEC. 2. Section 94990 is added to the Education Code,~~
- 11   ~~to read:~~
- 12   ~~94990. This chapter shall remain in effect only until~~
- 13   ~~January 1, 1998, and as of that date is repealed, unless a~~
- 14   ~~later enacted statute, that is enacted on or before January~~
- 15   ~~1, 1998, deletes or extends that date.~~
- 16   ~~SEC. 3. Section 32 of Chapter 62 of the Statutes of 1996~~
- 17   ~~is amended to read:~~
- 18   ~~Sec. 32. Sections 5 to 24, inclusive, and Sections 26 to~~
- 19   ~~30, inclusive, of this act shall become operative on January~~
- 20   ~~1, 1997, and shall become inoperative on June 30, 1997,~~

~~1 and as of January 1, 1998, are repealed, unless later~~  
~~2 enacted statutes, which become effective on or before~~  
~~3 January 1, 1998, delete or extend the dates on which they~~  
~~4 become inoperative and are repealed remain in effect~~  
~~5 until January 1, 1998, and as of that date are repealed,~~  
~~6 unless a later enacted statute, that is enacted on or before~~  
~~7 January 1, 1998, deletes a extends that date.~~

8 *SEC. 4. No reimbursement is required by this act*  
9 *pursuant to Section 6 of Article XIII B of the California*  
10 *Constitution because the only costs that may be incurred*  
11 *by a local agency or school district will be incurred*  
12 *because this act creates a new crime or infraction,*  
13 *eliminates a crime or infraction, or changes the penalty*  
14 *for a crime or infraction, within the meaning of Section*  
15 *17556 of the Government Code, or changes the definition*  
16 *of a crime within the meaning of Section 6 of Article*  
17 *XIII B of the California Constitution.*

18 *Notwithstanding Section 17580 of the Government*  
19 *Code, unless otherwise specified, the provisions of this act*  
20 *shall become operative on the same date that the act*  
21 *takes effect pursuant to the California Constitution.*

22 *SEC. 5. This act is an urgency statute necessary for the*  
23 *immediate preservation of the public peace, health, or*  
24 *safety within the meaning of Article IV of the*  
25 *Constitution and shall go into immediate effect. The facts*  
26 *constituting the necessity are:*

27 *In order to continue the operation of the Private*  
28 *Postsecondary and Vocational Education Reform Act of*  
29 *1989 as soon as possible, it necessary that this act take*  
30 *effect immediately.*

31 ~~provide fundamental educational competency training~~  
32 ~~opportunities for the recipients of Aid to Families with~~  
33 ~~Dependent Children (AFDC) program benefits. It is~~  
34 ~~essential for the successful transition of recipients to work~~  
35 ~~that they receive sufficient training to enable them to~~  
36 ~~find adequate employment to support themselves and~~  
37 ~~their families. California's community colleges are a~~  
38 ~~low-cost avenue that would provide recipients a sufficient~~  
39 ~~level of training to empower them to pursue~~  
40 ~~employment. It is the intent of the Legislature that the~~

1 ~~California Community Colleges serve as one of several~~  
2 ~~means to provide this needed employment training.~~

3 ~~(b) It is the further intent of the Legislature to require~~  
4 ~~county welfare departments to provide a liaison with~~  
5 ~~local community colleges to coordinate the needed~~  
6 ~~competency training of recipients and to facilitate the~~  
7 ~~transition to employment for recipients.~~

8 ~~SEC. 2. Section 11261 is added to the Welfare and~~  
9 ~~Institutions Code, to read:~~

10 ~~11261. (a) Any individual who is enrolled at least~~  
11 ~~halftime in a lower division course curriculum that will~~  
12 ~~lead to an associate or baccalaureate degree or in a degree~~  
13 ~~or certificate program that will lead to employment and~~  
14 ~~who is also participating in the required number of hours~~  
15 ~~of work activities required under Section 407(c)(1) of the~~  
16 ~~Social Security Act (42 U.S.C. Sec. 607 (c)(1)) shall, upon~~  
17 ~~request, be provided child care and transportation under~~  
18 ~~this section, not to exceed one year, if he or she meets all~~  
19 ~~other applicable eligibility requirements and he or she is~~  
20 ~~making satisfactory progress in the program in which he~~  
21 ~~or she is enrolled.~~

22 ~~(b) (1) The county welfare department shall~~  
23 ~~determine whether an educational program will lead to~~  
24 ~~employment. The county welfare department shall deem~~  
25 ~~a lower division or associate degree course curriculum~~  
26 ~~program that will lead to an associate or baccalaureate~~  
27 ~~degree to be a program that will lead to employment. If~~  
28 ~~the recipient disputes the county's determination,~~  
29 ~~paragraph (2) shall apply.~~

30 ~~(2) For purposes of subdivision (a), an individual shall~~  
31 ~~be deemed to be enrolled in a program that will lead to~~  
32 ~~employment if the individual provides any of the~~  
33 ~~following:~~

34 ~~(A) A signed statement from an employer stating that~~  
35 ~~he or she will employ the individual upon program~~  
36 ~~completion.~~

37 ~~(B) A list of three employers in the area who have~~  
38 ~~frequent employment opportunities in the occupation~~  
39 ~~pursued by the individual at a skill level that can be~~  
40 ~~achieved by the individual through skill training~~

1 components offered by the program in which the  
2 individual is enrolled.

3 (C) The statement of the governing body of a school  
4 district, community college, university, local Job Training  
5 Partnership Act service delivery area administering  
6 body, or any office of the Employment Development  
7 Department stating that the program will lead to  
8 employment.

9 (e) Any individual who is eligible under this section  
10 shall be eligible to receive child care and transportation  
11 services during the period in which he or she participates  
12 in the program on which eligibility is based under this  
13 section.

14 (d) For purposes of this section, to the extent  
15 permitted by federal law, any of the following shall be  
16 characterized as work activities:

17 (1) Work and study programs.

18 (2) Paid and unpaid cooperative education programs.

19 (3) Community service.

20 (4) Internships.

21 (5) Work experience.

22 (6) Paid and unpaid private or public sector  
23 employment.

24 SEC. 3. Funding, upon appropriation by the  
25 Legislature, shall be provided to the Chancellor of the  
26 California Community Colleges for the purposes of  
27 coordinating and implementing the provisions of the  
28 federal Personal Responsibility and Work Opportunity  
29 Reconciliation Act of 1996 (P.L. 104-193) with respect to  
30 assisting recipients of Aid to Families with Dependent  
31 Children (AFDC) program benefits who are attending  
32 community college.

33 SEC. 4. Notwithstanding Section 17610 of the  
34 Government Code, if the Commission on State Mandates  
35 determines that this act contains costs mandated by the  
36 state, reimbursement to local agencies and school  
37 districts for those costs shall be made pursuant to Part 7  
38 (commencing with Section 17500) of Division 4 of Title  
39 2 of the Government Code. If the statewide cost of the  
40 claim for reimbursement does not exceed one million

1 ~~dollars (\$1,000,000), reimbursement shall be made from~~  
2 ~~the State Mandates Claims Fund.~~  
3 ~~Notwithstanding Section 17580 of the Government~~  
4 ~~Code, unless otherwise specified, the provisions of this act~~  
5 ~~shall become operative on the same date that the act~~  
6 ~~takes effect pursuant to the California Constitution.~~

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